



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Agenda CITY COUNCIL

*R. Steve Tumlin, Mayor*  
*Stuart Fleming, Ward 1*  
*Grif Chalfant, Ward 2*  
*Johnny Walker, Ward 3*  
*G A. (Andy) Morris, Ward 4*  
*Anthony Coleman, Ward 5*  
*Michelle Cooper Kelly, Ward 6*  
*Philip M. Goldstein, Ward 7*

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Wednesday, November 11, 2015

7:00 PM

Council Chamber

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### CALL TO ORDER:

### INVOCATION:

*Council Member Michelle Kelly, Ward 6*

### PLEDGE OF ALLEGIANCE:

### PRESENTATIONS:

#### **20151046     Marietta wins ARC's Developments of Excellence Awards**

On Friday, October 30, 2015, the Atlanta Regional Commission (ARC) presented its 17th Annual Developments of Excellence awards at the State of the Region breakfast, where the Historic Marietta Square was honored to receive the Great Place Award.

ARC's Development of Excellence awards recognize projects that exemplify cutting-edge, livable design that enhances the surrounding community. The awards are given to developers, local governments and others who are making the 10-county Atlanta region a better place to live, work and play.

"The square is lined with restaurants, shops, museums, county government offices and the historic Strand Theater, making the Marietta Square a vibrant, walkable community center for people of all ages," said the Atlanta Regional Commission. "Whether you come for the Glover Park Concert Series, the Marietta Square Farmers Market, the history, or simply to hang out and relax, the Marietta Square is definitely one of the Atlanta region's Great Places."

**20151018      Award Presentation - Scott Lawler, Fleet Maintenance Supervisor**

Mr. Jason Allen, Employer Outreach Coordinator for the Georgia Employer Support of the Guard and Reserve will present the Patriot Award to Scott Lawler, Fleet Maintenance Supervisor. Mr. Lawler was nominated for this award by Mr. Brandon Mecum for recognition of his support for Mr. Mecum's service to this nation.

**20151052      National Fire Safety Prevention Week Poster Contest Winner**

The Marietta Fire Department Honors Hickory Hills Elementary Students for their Participation in the Fire Safety Prevention Week Poster Contest. With the help of art teacher, Jessica Nicula, many students submitted posters depicting the importance of fire safety and prevention. The winner of the poster contest was third grader, Bryanna Gibson, who received a gift card to Marietta Pizza Company and a free ride home from school in a Marietta Fire Truck.

**PROCLAMATIONS:****ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:****SCHEDULED APPEARANCES:**

**Each speaker is allotted five (5) minutes.**

**UNSCHEDULED APPEARANCES:**

**Each speaker is allotted five (5) minutes.**

**CONSENT AGENDA:**

**Consent agenda items are marked by an asterisk (\*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).**

**MINUTES:****\*      20151037      Regular Meeting - October 14, 2015**

Review and approval of the October 14, 2015 regular meeting minutes.

**\*      20151041      Special Meeting - October 28, 2015**

Review and approval of the October 28, 2015 special meeting minutes.

**MAYOR'S APPOINTMENTS: (for informational purposes only)****CITY COUNCIL APPOINTMENTS:****ORDINANCES:****\* 20150896 Z2015-36 [REZONING] SANFORD C. BENNETT**

Z2015-36 [REZONING] SANFORD C. BENNETT requesting rezoning for property located in Land Lot 1226, District 16, Parcel 0110, 2nd Section, Marietta, Cobb County, Georgia, and being known as 671 Whitlock Avenue from OI (Office Institutional) to CRC (Community Retail Commercial). Ward 2A.

*Planning Commission recommends approval:*

*Vote: 7-0-0*

*Mr. Poor made a motion, seconded by Mr. Diffley to recommend approval as submitted. The motion carried 7-0-0.*

*PUBLIC HEARING (All parties sworn in.)*

**20150897 Z2015-37 [REZONING] MOTION CITY, LLC**

Z2015-37 [REZONING] MOTION CITY, LLC requesting rezoning for property located in Land Lot 1232, District 16, Parcel 0550, 2nd Section, Marietta, Cobb County, Georgia, and being known as 279 Alexander Street from OIT (Office Institution Transitional) to OIT (Office Institution Transitional) with an additional use (residential). Ward 1A.

*Planning Commission recommends approval:*

*Vote: 5-2-0*

*Mr. Diffley made a motion, seconded by Mr. Poor to recommend approval as submitted. The motion carried 5-2-0. Ms. McCrae and Mr. Rosenbury opposed.*

*PUBLIC HEARING (All parties sworn in.)*

**\* 20150881 CA2015-10 [CODE AMENDMENT]**

CA2015-10 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta, Section 723.03, Sanitary sewers, to address minimum lot size of septic tank lots.

*Planning Commission recommends approval:*

*Vote: 7-0-0*

*Mr. Vanderslice made a motion, seconded by Mr. Rosenbury to recommend approval as submitted. The motion carried 7-0-0.*

*PUBLIC HEARING (All parties sworn in.)*

**RESOLUTIONS:****CITY ATTORNEY'S REPORT:****CITY MANAGER'S REPORT:****MAYOR'S REPORT:****COMMITTEE REPORTS:****1. Economic/Community Development: G. A. (Andy) Morris, Chairperson****\* 20150863 FFY16 CDBG Proposed Projects**

Approval of a Resolution authorizing the submittal of the city's FFY2016 proposed Community Development Block Grant (CDBG) projects to Cobb County CDBG for inclusion in their submittal to the U.S. Department of Housing and Urban Development.

**\* 20151005 2016 ARC LCI Study Grant Program-Grant Application**

Motion to approve the submittal of a grant request application to Atlanta Regional Commission for federal funds to complete a major study update of the Franklin/Delk LCI.

**2. Finance/Investment: Stuart Fleming, Chairperson****3. Judicial/Legislative: Philip M. Goldstein, Chairperson****\* 20150879 Final Plat for the Estates at Parkside**

Motion to approve the final plat for the Estates at Parkside, a twelve (12) lot residential subdivision off of Gilbert Road.

\*      **20150986      Revised Detailed Plan for Marvelle**

Motion to approve a revision to the detailed plan for the Marvelle Development (formerly Boston Homes) off Washington Avenue in order to shift lots and relocate the detention pond. All previously approved zoning stipulations shall remain in effect, with the following additional variances:

1.    Variance to allow Private Drive K without a minimum turnaround of 80' roadway diameter and 100' right of way diameter.
2.    Variance to allow a break in the street trees in front of the retaining wall of the storm water facility along Adams Circle.

**4. Parks, Recreation, and Tourism: Michelle Cooper Kelly, Chairperson**

\*      **20150973      Glover Park Restrooms**

Motion to approve additional funding in the amount of \$52,000 from the 2009 Parks Bond Fund for a total project cost of \$219,000. The additional funding shall be broken down as follow: \$8,000 from the Glover Park line item in Category B, Improvements to Existing Parks; and, \$44,000 from Category D, Planning,/ Design/Administration/Contingencies that will be transferred to the Glover Park line item in Category B.

\*      **20150974      Laurel Park Tennis Court Resurfacing**

Ordinance approving an amendment to the Fiscal Year 2016 Parks & Recreation Fund budget to appropriate \$13,900 from the Whitaker Estate Fund for the resurfacing of 5 tennis courts at Laurel Park.

\*      **20151016      Custer Park Sports and Fitness Center**

Motion authorizing the Marietta City Schools Faculty, Staff, and Dependent Family Members use of the Custer Park Sports and Fitness Center at the City of Marietta resident rates as is currently the practice with city employees.

**5. Personnel/Insurance: Johnny Walker, Chairperson**

\*      **20150968      Civil Service Board Election**

Motion approving the Certified Election results for the Marietta Civil Service Board Post 2 vacancy, re-electing the incumbent E. Darden Borders for a term of three years, effective January 1, 2016 and expiring on December 31, 2018.

\*      **20150982      National League of Cities (NLC) Annual Meeting**

Motion approving the appointment of Philip M. Goldstein as the voting delegate and Anthony Coleman as the alternate voting delegate for the National League of Cities (NLC) Annual Business Meeting that will be held during the Congress of Cities in Nashville, TN, November 7, 2015.

**6. Public Safety Committee: Anthony Coleman, Chairperson**

**7. Public Works Committee: Grif Chalfant, Chairperson**

\*      **20150977      Speed Limit on Village Greene Northwest**

Motion to approve Village at Barrett Green HOA to reduce the speed limit on Village Greene NW as requested by Council Member Andy Morris.

**OTHER BUSINESS:**

**20151049      Memorandum of Understanding**

Motion to approve the Memorandum of Understanding (MOU) as amended between the City of Marietta and Atlanta United Football Club, LLC and to authorize the Mayor and City Clerk to execute same. Certain matters in the Memorandum of Understanding require further consideration and review by the parties and same shall proceed as outlined therein.

\*      **20151050      Zayo Overhead Utilities**

Motion approving variance from the underground utility ordinance, 5-4-160, for utility work shown on the following permit requests:

1. Zayo permit #FG23359 for overlash of existing FIBER along Franklin Road from the Marietta Fire Station on Franklin Road to Cobb Parkway intersection. This motion does not grant a perpetual variance. Zayo must relocate underground at their expense if other utilities at the location are moved underground.

\*      **20151051      Property Acquisition - Burnap Street**

Motion authorizing advertising for a Public Hearing for the abandonment, sale, and/or exchange of Burnap Street right of way between Roselane Street and North Avenue.

**\*      20151038      BLW Actions of November 9, 2015**

Review and approval of the November 9, 2015 actions and minutes of Marietta Board of Lights and Water.

**UNSCHEDULED APPEARANCES:**

**Each speaker is allotted five (5) minutes.**

**ADJOURNMENT:**